



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/686,980 | 10/16/2003 | Dirk Lauhoff | TRW(AEC)6781 | 8114 |
| 26294 | 7590 | 11/03/2006 | EXAMINER | |
| TAROLLI, SUNDHEIM, COVELL & TUMMINO L.L.P. 1300 EAST NINTH STREET, SUITE 1700 CLEVEVLAND, OH 44114 | | | WILSON, GREGORY A | |
| | | | ART UNIT | PAPER NUMBER |

3749

DATE MAILED: 11/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

NT

| | | | |
|------------------------------|--------------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 10/686,980 | Applicant(s) LAUHOFF, DIRK | |
| | Examiner Gregory A. Wilson | Art Unit 3749 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 6-8 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 6 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by **Stancil et al (5,977,851)**. **Stancil et al** discloses an air vent (16) including a frame

constructed of plastic (column 3, lines 53-55), an antenna embedded in the grill (column 3, lines 57-60), additionally a receiver (24) is provided (column 4, lines 14-16) anticipating the claimed subject matter of claim 7). The limitation "...wherein the antenna body is integrated into the plastic material of the frame by injection-molding..." is a Product-by-Process recitation and therefore the antenna body integrated into the plastic body is not limited by injection molding.

Claims 6 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by **Brinkerhoff et al (6,692,349)**. **Brinkerhoff et al** discloses an air vent (10) including a frame made of plastic material (SEE column 4, lines 27-29) and an antenna formed in a portion of the top plate (36) (ie: its imbedded in the air vent, SEE column 7, lines 37-38)(SEE Figure 3), the use of a sensor is suggested in column 7, lines 37-38 as pertaining to claim 7.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Stancil et al (5,977,851)** in view of **Stiehl (2003/0022616)**. **Stancil et al** discloses the applicants primary inventive concept as stated above, but does not particularly teach

that the shape of the antenna is T-shaped as described in claim 8. Stiehl teaches such a design in Figure 1 and discusses the shape throughout its spec (SEE paragraph [0017]). It would have been an obvious matter of design choice to modify the antenna of Stancil et al to be configured into the T-shaped body with branching sections as taught by Stiehl, since such a modification would not affect the functionality of the antenna and does not solve any stated problem in a new or unexpected way or is for any particular purpose which is unobvious to one of ordinary skill.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Brinkerhoff et al (6,692,349)** in view of **Stiehl (2003/0022616)**. **Brinkerhoff et al** discloses the applicants primary inventive concept, as stated above but does not particularly teach that the shape of the antenna is T-shaped as described in claim 8. Stiehl teaches a similar design to that of the applicant (SEE Figure 1). It would have been an obvious matter of design choice to modify the antenna of Brinkerhoff et al to be configured into the T-shaped body with branching sections as taught by Stiehl, since such a modification would not affect the functionality of the antenna and does not solve any stated problem in a new or unexpected way or is for any particular purpose which is unobvious to one of ordinary skill.

Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Stiehl (2003/0022616)**. **Stiehl** teaches an air vent (10) for use in a vehicle, including a frame (12) made of plastic (SEE [0017]), a T-shaped antenna (62) having a middle bar

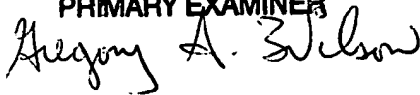
(64) and a crossbar (66), a connector plug (60). When placed in the vehicle interior, the antenna is covered by the plastic, but is not described as being integrated (ie: integral) with the plastic material. It would have been obvious to a person having ordinary skill in the art at the time of the invention to have integrated the antenna into the plastic since such a modification would not affect the performance of the antenna, nor does it solve any stated problem in a new or unexpected way or is for any particular purpose which is unobvious to one having ordinary skill in the art and it has been held that the term "integral" and its derivative is sufficiently broad to embrace constructions united by such means as fastening and welding.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory A. Wilson whose telephone number is (571)272-4882. The examiner can normally be reached on 7 am - 4:30 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Josiah Cocks can be reached on (571) 272-4874. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

GREGORY WILSON
PRIMARY EXAMINER



Gaw
October 27, 2006